

REMARKS/ARGUMENTS

This paper is responsive to the Final Office Action dated May 27, 2005 (“the Office Action”), having a shortened statutory period expiring on August 27, 2005.

Claims 1-7, 10-43, and 70-82 were previously pending in the application.

Claim 2 has been canceled in this paper without prejudice or disclaimer of the subject matter recited therein. No claims have been added in this paper.

Accordingly, claims 1, 3-7, 10-43, and 70-82 remain pending.

Claims 1, 3-7, 10-15, 17-27, 29-43, and 70-82 stand rejected.

Claims 16 and 28 are under objection.

Independent claims 1, 18, 31, and 70 have been amended in this paper. The amendments add no new matter, and are fully supported by the originally-filed specification. Applicant offers that the claims are allowable and respectfully requests reconsideration of the pending objections and rejections in view of the following remarks.

Formal Matters

Applicants acknowledge the Examiner’s indication of allowability as to pending claims 16 and 28. While Applicant has not elected to do so at this time, Applicant reserves the right to rewrite the indicated claims in independent format at a later date. Applicant expresses appreciation for the Examiner’s indication of allowability.

Rejections under 35 U.S.C § 102(b)

Claims 1, 3-7, 10-14, 17-26, 29-37, 39-43, 70, 71, 73-76, and 78-82 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,361,347 issued to Glider et al. (“Glider”). While not conceding that the Examiner’s cited reference qualifies as prior art, but instead to expedite prosecution, Applicant has elected to respond to the pending rejections as follows. The following arguments are made without prejudice to Applicant’s right to establish,

for example in a continuing application, that one or more of the cited references do not qualify as prior art with respect to an invention embodiment currently or subsequently claimed.

A *prima facie* case of anticipation requires that the rejection cite a single reference that teaches or enables each of the claimed elements, arranged as in the rejected claim, expressly or inherently, as interpreted by one of ordinary skill in the relevant art. Moreover, as set forth in 37 C.F.R. §1.104(c)(2), the Examiner is required to indicate the particular part relied upon as nearly as practicable, “[w]hen a reference is complex or shows or describes inventions other than that claimed by the applicant.”

As amended, independent claim 1 is directed to a resource management system for a communications system. This claim includes limitations previously set forth in claim 2. The limitations include a resource manager and a resource control block that corresponds to a resource of the communications system. The resource is of a resource type from a plurality of resource types. Further, the resource control block comprises a generic section containing information applicable to each of the plurality of the resource types. The office action ignores this limitation.

Applicant sees no discussion of this limitation in the Office Action, including the Office Action’s discussion of now-canceled claim 2, which previously related to the “generic section.” Applicant sees no discussion, teaching, or suggestion of this limitation in *Glider*. Accordingly, for at least this reason, the cited art does not disclose each limitation of pending independent claim 1.

For at least similar reasons, the cited art does not disclose each limitation of pending independent claims 18, 31, and 70. Applicants therefore submit that independent claims 1, 18, 31, and 70, and all remaining claims depending directly or indirectly therefrom, are allowable under § 102(b). Accordingly, Applicants respectfully request that the rejections under § 102(b) be withdrawn.

Request for Clarification of Rejection of Claim 24 under § 102(b)

Claim 24 stands rejected under § 102(b) as being anticipated by *Glider*. Office Action, at 2. However, Applicant sees no explanation in the Office Action to support this rejection with reference to the cited art.

As set forth in 37 C.F.R. §1.104(c)(2), the Examiner is required to indicate the particular part relied upon as nearly as practicable, "[w]hen a reference is complex or shows or describes inventions other than that claimed by the applicant."

Applicant submits that claim 24 is allowable, at least for the reasons noted above. Applicant respectfully requests withdrawal of the rejection of Claim 24, or alternatively, (a) clarification of the rejection with respect to *Glider* in conformance with 37 C.F.R. §1.104(c)(2), and (b) a removal of the finality of the rejection so that Applicant may have an appropriate opportunity to respond to the rejection.

Request for Clarification of Grounds for Rejections

Claims 15, 27, 38, 72, and 77 stand rejected. Office Action, at "Office Action Summary." However, the Office Action does not set forth a statutory basis for these rejections or an explanation of these rejections.

Applicant submits that claims 15, 27, 38, 72, and 77 are allowable, and respectfully requests withdrawal of the rejections of these claims, or alternatively, (a) a clarification of the statutory grounds for, and explanations of, the rejections, and (b) a removal of the finality of the rejections so that Applicant may have an appropriate opportunity to respond to the rejections.

CONCLUSION

Applicant submits that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop AE, Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia, 22313-1450, on July 27, 2005.

Cyrus Bharucha 2005 JUL 27
Attorney for Applicant Date of Signature

Respectfully submitted,

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